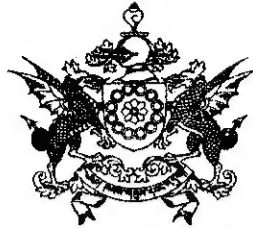


SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Wednesday 09th November, 2022

No. 438

**SIKKIM NURSING COUNCIL
(AN AUTONOMOUS STATUTORY BODY)
TOP FLOOR, MO BUILDING
STNM HOSPITAL COMPLEX, SOCHAKGANG
GANGTOK DISTRICT, SIKKIM**

No. 235/ SNC/ 2022

Dated: 05th November, 2022

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of Section 32 of the Sikkim Nurses, Midwives and Health Visitors Act, 2008 (Act number 4 of 2008), the Sikkim Nursing Council hereby makes the following By-laws, namely : -

THE SIKKIM NURSING COUNCIL BY-LAWS

**SHORT TITLE
AND
COMMENCEMENT**

1. (1) These By-laws may be called the Sikkim Nursing Council By-laws, 2022.
- (2) They shall come into force on the date of their publication in the Official Gazette.

DEFINATION

2. (1) In these By-laws unless the context otherwise requires : -
 - (a) "Act" means the Sikkim Nurses, Midwives and Health Visitors Act, 2008 ;
 - (b) "Committee" means Standing Committee constituted among the members such as Examination Committee, Education Committee, Inspection Committee, Finance Committee. Membership to these Committees other than Inspection Committee shall be for a term of 2 (two) years ;
 - (c) "Council" means the Sikkim Nursing Council constituted under the Act ;
 - (d) "Enlisted Person" means a person whose name is entered in the list maintained by the Council ;
 - (e) "Examiner" means the nursing teacher having a minimum five years recent teaching experience appointed by the

Council to evaluate the answer paper in the particular subject ;

- (f) "Fees and Charges" means the prescribed fees and charges for various examinations, inspections, publications, affiliation, registration, mark sheets and other fees of the Council ;
 - (g) "Inspector" means Inspector appointed under provision of the Act by the President of the Council ;
 - (h) "Licensing Authority" means an officer authorised by the State Government to issue licences under Sikkim Nurses Midwives and Health Visitors Act, 2008 ;
 - (i) "Member" means a member of the Council ;
 - (j) "President" means the President of the Council ;
 - (k) "Qualifying Examination" means : -
 - (i) An examination held by the Council for Diploma/ Certificate courses, or
 - (ii) By an authority approved and recognized by the Council, which in the opinion of the Council is held in conformity with the rules prescribed for the corresponding examination held by the Council.
 - (l) "Recognized Institution" means an institution of nursing having physical facilities, clinical facilities, teaching and non-teaching staff and which is recognized by the Council for the training of the Nurses-Midwives, Auxiliary Nurse Midwife, Multipurpose Health Worker (Female), Bachelor of Science (Nursing), Post Certificate Bachelor of Science (Nursing), Master of Science (Nursing), Doctorate of Philosophy in Nursing and any other advance courses in nursing ;
 - (m) "Register" means a register of nurses, midwives or health visitors maintained under the law of a State ;
 - (n) "Registered Person" means a person whose name is entered in the Register ;
 - (o) "Registrar" means the Registrar appointed by the Council under sub-section (6) of Section 3 of the Act ;
 - (p) "Re-sit" means the supplementary examination for the failed student which is conducted at six months interval after the release of the result ;
 - (q) "Rule" means the Sikkim Nurses, Midwives and Health Visitors Rules, 2017 ;
 - (r) "Vice-President" means the Vice-President of the Council.
- (2) Words and expressions used in these By-laws but not defined in the Act or the Rules shall have the same meaning as assigned

to them in the Act or the Sikkim Nurses and Health Visitors Rules, 2017, as the case may be.

COMPILATION,
MAINTENANCE,
PUBLICATION OF
REGISTER OR
LIST AND
CONDITIONS OF
ADMISSION TO
THE REGISTER
OR LIST

3. (1) All the publication shall be determined by the Registrar, whether they shall be priced or not.
- (2) The price of a publication shall be calculated as under : -
- (a) the Registrar shall declare the number of complimentary copies required for distribution free of cost ;
 - (b) the number of complimentary copies shall be deducted out of the total number of copies printed and total cost of printing divided by their remaining number of copies ;
 - (c) the price thus calculated shall be rounded off to the next higher digit dividable by five ;
 - (d) action taken by the Registrar to fix the price of publication shall be reported in the subsequent meeting of the Council;
 - (e) the publications shall be sent to the indenters by Value Payable Post or Book Post, as considered desirable by the Registrar in each case ;
 - (f) the expenditure on postage except in the case of complimentary copies shall be recovered from the indenters by the Registrar ;
 - (g) the postage for registered post shall be recovered at the existing rate from time to time in all the postal correspondences ;
 - (h) all copies in stock of a publication which is appended or revised and reprinted or become obsolete shall be disposed off as by the President and their value written off ;
 - (i) the cost of all the publications in stock which are damaged or lost for any reason without any fault on the part of any employee of the Council shall be written off by the orders of the President.
- (3) Persons who have been trained and registered in any State of India who have been trained prior to the establishment of a statutory council in any of the State in India or in any council with which the Council has entered into an agreement for reciprocal registration may be admitted by the Council to any part of the Register on their fulfilling such conditions as may be considered appropriate by the Council as per the regulation of Reciprocal Registration.
- (4) A person desirous of being admitted as a student for being trained as Nurses, Auxiliary Nurse-Midwives and Health Visitors (Female) should produce documentary evidence as per the eligibility criteria laid down by the Indian Nursing Council.

CONDUCT OF
EXAMINATION

4. (1) Examination to be held by the Council : -

- (a) the Council shall hold the examination for the following Diploma courses ;
 - (i) General Nursing,
 - (ii) Midwifery,
 - (iii) Multipurpose Health Worker (Female)/ Auxiliary Nurse Midwives,
 - (iv) Any other courses which are approved by the Council.
- (b) the syllabus, rules and regulation and other Curriculum Guide and conditions for recognition of the institution of the above courses which are approved under the By-laws shall be as specified by the Indian Nursing Council from time to time ;
- (c) the alteration/ reduction/ changes/ enhancements, prescribed by the Council as to eligibility for admissions, syllabus, curriculum, rules and regulations to the above courses shall be effected in the syllabus, curriculum after the approval of the Council.

(2) Eligibility for appearing in the Examination : -

No candidate shall be admitted to an examination, unless he/ she has,-

- (a) undergone regular training in a recognised institution for the prescribed period ;
- (b) attendance of at least 80 % (eighty percent) of the lectures, demonstration and clinical in each subject, irrespective of kind of absence ;
- (c) diploma shall not be awarded till he/ she completes the 100% (one hundred percent) clinical experience ;
- (d) produces satisfactory testimonials in the form determined by the Council ;
- (e) conditions stipulated as per Indian Nursing Council.

(3) Examination : -

- (a) the examination shall be held at Gangtok or such other places as may be determined by the Council from time to time ;
- (b) the examination shall normally be held two times in a year. One Council examination followed by one supplementary examination for the failed candidates in such a month, as decided by the Council ;
- (c) the language used in conducting examination shall be the English ;

- (d) the application for appearing in an examination must reach the office of the Registrar in prescribed form at least one month before the commencement of the examination ;
- (e) all applications for appearing in an examination shall be accompanied by a certificate from head of institution of candidate having completed the minimum criteria as prescribed in syllabus and requisition of course framed by the Indian Nursing Council ;
- (f) the Council shall confirm the list of eligible candidate by issuing examination registration number or roll number to the School of Nursing ;
- (g) prescribed fees and charges for various examinations of the Council shall be notified separately ;
- (h) the examination fees for all programs, viz., General Nursing and Midwives and Auxilliary Nurses Midwives and re-sit shall be Rs. 600/- (Rupees Six Hundred only) per student and Rs. 200/- (Rupees Two Hundred only) for mark-sheet ;
- (i) examination fees once paid shall not be refunded or held in reserve for further examination except,-
 - (i) when the candidates die before the date of examination date ;
 - (ii) when he/ she is ill in which case a medical certificate from a registered medical practitioner must be sent to the Registrar, so as to reach him/ her before the date of examination ;
 - (iii) when he/ she become ineligible for examination except on the ground of misconduct.
- (j) (i) no re-examination of answer book is allowed but re-totalling of marks may be done on payment of prescribed fee of Rs. 200/- (Rupees Two Hundred only). Application for re-totalling of marks shall be made within thirty days of the publication of results ;
 - (ii) re-checking will be done only to see whether the marks have been awarded to all the answer and whether such marks have been correctly totalled ;
 - (iii) if any mistake is detected as a result of re-checking of an answer book the mistake will be rectified with the approval of the President.
- (k) the permission to appear in an examination to a candidate can be cancelled at any stage if any of the particulars given in his/ her application is found incorrect ;
- (l) if a candidate is found guilty of an immoral act or deed either before or during or after the examination or after the issue of a Certificate or Diploma which, in the opinion of

the Council, is an undesirable act and amounts to malpractice, the Council may take action including cancellation of his/ her result, certificate or diploma or disqualify him/ her for appearing in any examination of the Council.

(4) Controller of Examination : -

- (a) the Registrar of the Council shall act as a Controller of Examination ;
- (b) the dates for several examinations shall be fixed by the Council and shall be intimated to head of institutions two months before the examination become due. The President may, if necessary shall change the dates with due intimation to all concerned ;
- (c) the Council shall make all necessary arrangements for the examinations.

(5) Board of Examiner/ Examination Committee : -

- (a) the Council shall appoint a Board of Examiner/ Examination Committee for each examination consisting of not less than three and not more than five members including a Chairman for the term of two years and the member shall not be appointed for more than two successive terms ;
- (b) the Board shall meet before the examination to scrutinise question papers and after examination to finalise the results. Such meetings shall be presided over by the Chairman of the Examining Board. Suggestions which examiners may desire to make in regard to any matter pertaining to the examination shall be submitted to the Council through the meeting of the examiners ;
- (c) attendance at examiner's meeting being an integral part of the duties attached to the examinership and examiner are expected to make their engagement consistent with such attendance. The proceedings of all the meetings of the examiners shall be kept strictly confidential ;
- (d) a maximum of five grace marks may be allowed by the Board subject to the condition that the candidates complete the examination ;
- (e) no person other than the holder of requisite qualification as given below shall be appointed as internal or external examiner or paper-setter, provided that,-
 - (i) no such person shall be appointed as an internal/ external examiner and paper-setter unless he/ she is the Master of Science (Nursing) with at least three years of teaching experience or Bachelor of Science (Nursing)/ Post Certificate Bachelor of Science (Nursing) with five years of teaching experience ;

- (f) the President may appoint a single moderator or moderators not exceeding three for the purpose of moderating question papers per year depending on the load of the subjects ;
- (g) the practical examination shall be conducted by the respective internal and external examiners appointed by the Council with mutual co-operation ;
- (h) every nursing institutes shall provide all facilities to the external and internal examiners for the conduct of examination and internal examiner shall make all preparation for holding the examination ;
- (i) the Controller/ Registrar shall in consultation with the President, select paper setters and examiners and also fix date, time and place for practical examination and will inform the concerned authorities accordingly ;
- (j) the Controller shall have the power, in case of any emergency, to appoint an examiner in place of any examiner who fails to attend/ conduct the examination due to unforeseen reasons ;
- (k)
 - (i) the questions should be spread over to the whole course as far as possible and care should be taken that no question is set outside the syllabus for the particular examination and that the standard of every question is in accordance with the syllabus and the particular course of study for which the examination is held ;
 - (ii) care should be taken that no question is ambiguous or vague ;
 - (iii) the question paper shall be delivered by the paper setter in person to the Controller or sent to him/ her by registered post in a sealed cover on or before the date fixed for the purpose. No copy of the questions set shall be retained by him/ her.
- (l) after getting copies of the question papers, the Controller shall arrange for its printing and then forward them in sealed cover by registered post or through messenger at the proper time to the officer-in-charge of the centre or other authority ;
- (m) there shall be one examiner for each paper. He/ she shall examine and mark all the answer papers of that paper ;
- (n) the President shall appoint an officer-in-charge of the centre for theoretical and practical examinations. The officer-in-charge of the centre immediately after the examination is over, shall seal the answer papers with his/ her seal and arrange to send the packet (s) in person or by registered

post to the Controller or as per instruction issued by the Council ;

- (o) the examiners shall return the papers and mark sheets as per instruction laid down. The examiners are required to keep the result of the examination and marks assigned to the candidates strictly secret. No copy of result/ marks allotted shall be retained by the examiners ;
 - (p) the mark sheet and answer script of the examination shall be forwarded to the Controller in person or by registered post on or before the date fixed for the purpose or as instructed.
- (6) Results and Re-Admission to Examination : -
- (a) the Controller shall publish the list of successful candidates ordinarily within one month after the last date of examination ;
 - (b) names and roll numbers of successfully passed candidates are arrange in order of merit ;
 - (c) as soon as possible after the tabulation of the results by the Controller, they shall be considered by the Council ;
 - (d) no candidate shall be declared to have passed unless he/ she has obtained not less than 50% (fifty percent) of marks in each subject in theory and practical separately except 40% (forty percent) in English ;
 - (e) the percentage for first class (1st Class) is 70% (seventy percent) and above and distinction is 80% (eighty percent) and above for General Nursing and Midwifery and for Auxilliary Nursing Midwifery, the percentage for first class (1st Class) is 65% (sixty-five percent) and above and distinction is 75% (seventy-five percent) and above ;
 - (f) every candidate shall on announcement of result receive mark sheet ;
 - (g) on successful completion of course, the Council shall issue a Diploma Certificate in Form I and II ;
 - (h) if a student fails in one theory paper/ practical,-
 - (i) he/ she may be allowed to proceed to the next year of study ;
 - (ii) he/ she can sit for a supplementary examination held subsequently in the failed subject/ practical on payment of prescribed fee of Rs. 600/- (Rupees Six Hundred only) ;
 - (iii) he/ she shall be allowed to clear the failed subjects in annual examination which he/ she was unable to clear in supplementary examination.

- (i) if a student fails in two or more papers,-
 - (i) he/ she shall not be allowed to proceed to the next year ;
 - (ii) he/ she can sit for a supplementary examination held subsequently in the failed subject/ practical on payment of prescribed fee of Rs. 600/- (Rupees Six Hundred only) ;
 - (iii) he/ she shall be eligible for next year's examination after one academic year from the date of passing last examination, if he/ she clears the supplementary examination.
 - (j) if any candidate obtains pass-marks in the paper (s) at the supplementary examination on the subsequent examination, he/ she shall be declared to have passed the examination as a whole ;
 - (k) a candidate can take any number of attempts with a condition that maximum period allowed is double the prescribed year of duration of the courses, like, Master of Science (Nursing) four years, Bachelor of Science (Nursing) eight years, Post Basic Bachelor of Science (Nursing) four years, General Nursing Midwives six years and Auxiliary Nursing Midwives four years etc. However, all previous failed papers need to be cleared before appearing in final year examination ;
 - (l) the Council may under exceptional circumstances, partially or wholly, cancel any examination conducted by it and arrange for conducting re-examination in those papers within a period of sixty days from the date of such cancellation.
- (7) Remuneration to Examination : -
- remuneration to paper-setters, examiners and the invigilator on the following items will be as per the norms of State Government of Sikkim,-
- (i) for setting each question paper (three hours duration) ;
 - (ii) for setting each question paper (two hours duration) ;
 - (iii) for each written paper examined and marked ;
 - (iv) for conducting each practical examination in each paper per student ;
 - (v) for conducting the examination.
- (8) Travelling Allowances and Dearness Allowances to External Examiners and Inspectors : -
- (a) the Examiners and Inspectors may be given such travelling allowances equivalent to the Group 'A' officers of the State

Government (Travelling Allowances and Dearness Allowances only), as prescribed by the State Government from time to time. If the Examiners and Inspectors happen to be the Government servant, they shall get Travelling Allowances and Dearness Allowances according to their grade ;

- (b) the President may grant honorarium to the office staff and the Controller for conducting the examination as per the guidelines of the Council.

(9) Guidance and Conduct of Candidates During Examination : -

- (a) the doors of the examination hall shall be opened on the first day half an hour before the commencement of the examination and on subsequent days a quarter of an hour before that, no candidate shall be admitted to the examination hall under any pretext later than hour fixed for the commencement of the examination. Candidate will be required to submit their answer books to the officer-in-charge of the centre ;
- (b) candidates must take their seats at least fifteen minutes before the time fixed for giving out the paper ;
- (c) candidates in possession of cell phones or any means of gadgets, books, notes or any paper other than the Admit Card/ Registration Card, will not be allowed to appear in the examination. Candidate must have their own writing and drawing materials ;
- (d) precisely five minutes before the time fixed for giving the question paper, a warning bell will be rung as a signal for all candidates to take their seats ;
- (e) a seat with a number corresponding to that of his/ her roll number will be allotted to each candidate. An answer-script for writing his/ her answers will be provided. Additional sheets signed with date by invigilator of examination will be provided, if required for writing answers;
- (f) a candidate detected helping another or attempting to obtain unfair assistance or in possession of books etc., will be expelled from the examination hall and will not be allowed to continue to appear in that paper or in subsequent papers. No communication whatsoever between candidates while under examination will be allowed. Candidates are not permitted to have in their possession, while in the examination hall, any books, memorandum, notes or papers, whatsoever except the question paper, the admit cards and the books provided by the Council for writing out the answers. Candidates disregarding this caution are liable to the same penalty as those using unfair means ;

- (g) no candidate, without the permission of the invigilator or centre-in-charge is to leave his/ her seat or the examination hall until the conclusion of the examination;
- (h) every candidate will write on the outside of his/ her answer book his/ her roll number and registration number. He/ she will write on both sides of the paper leaving margins. Any candidate attempting to render the identification of his/ her answer paper by giving a false number or intentionally omitting to state his/ her roll number as required above will have his/ her name removed from the list of candidates and shall be reported to the Council for such further action as may be necessary ;
- (i) any candidate found guilty of making any objectionable or improper remarks on his/ her answer paper shall be reported to the Council for such action as it may deem fit. No candidate will be allowed to leave the examination hall until an hour has elapsed from the time when the papers are given out ;
- (j) candidate will not be allowed to re-enter the examination hall after quitting it and will not be allowed to leave the examination hall without finally submitting his/ her answer paper ;
- (k) a candidate having completed his/ her paper must hand it over to the invigilator/ centre-in-charge before leaving the examination centre. The answer papers must, on no account, be left on the desk ;
- (l) friends and guardians of candidates will not be allowed to enter the examination hall. Person who is not connected with the examination is not allowed to enter the examination hall ;
- (m) candidates suffering from any illness or disease which would render their presence in any way prejudicial to the general body of students under examination will not be allowed into the examination hall or will be kept in a separate room, if found in the hall.

(10) Copy Right : -

It is a condition of appointment as examiner that any copyright in the examination paper prepared for the Council shall be vested in the Council.

(11) Question Papers : -

- (a) no change by way of addition or insertion shall be made in the questions that are to be printed without the previous sanction of Examination Committee ;
- (b) each question shall be written carefully in a legible handwriting on a separate sheet of paper and marks must be entered on the question paper ;

- (c) when a paper is to be set in manuscript, each question is not to be written on a separate slip of paper, but should be written very legibly and preferably typed on a paper of fullsize size.

(12) Oral and Practical Examinations : -

- (a) all practical and oral examinations shall take place at such time and place as may be decided by the Council ;
- (b) the number of candidates that can be examined in any practical or oral examination shall be such number that can be thoroughly tested within the available time and not exceed twenty per day in exceptional cases ;
- (c) the oral examination is to be conducted by two examiners marking jointly and the candidate is only to be examined for the time allotted to him/ her ;
- (d) the examiners shall not make any remarks about the candidates nor should they do so among themselves in such a manner that the candidate himself/ herself or other candidates overhear them ;
- (e) the examiners shall not ask any question regarding the identity of the candidate or to the school where he/ she was trained ;
- (f) examination shall not be rigid or stereotyped, and the aim should be to test the knowledge of the candidate on nursing which is covered in the syllabus.

(13) Sending the List of Marks : -

The answer books of the candidates and the list containing the marks assigned to each candidate for each question attempted and the total for each paper, entered in ink and signed by the examiners shall be forwarded to the Registrar, so as to reach on or before the day fixed for the purpose. If an examiner fails to send his/ her marks within the time fixed, the explanation will be sought from the examiner. Any irregularity of a serious nature shall disentitle an examiner for re-appointment as an examiner. In case of practical examination, marks sheet should be submitted personally in a sealed cover to the Registrar and for outside centre, the examiners should submit the mark sheet in sealed cover at the end of examination.

(14) Distribution of Marking and Return of Answer Book : -

- (a) with the answer books, examiner shall receive the format for the detail marking from the Council for the convenience of the examiner ;
- (b) on receipt of the answer books, the first duty of examiner is to see that the number of the candidate on the answer book correspond with the number on the official marks

sheet. A list of absentee, if any, shall be enclosed with the answer books. In case of any discrepancy, the Registrar shall be forthwith informed the same ;

- (c) the answer book received by the examiners must in all cases be returned in strictly numerical order ;
- (d) It is essential that the total marks, even if zero, as assigned to each answer, are entered in the left hand margin of the answer books against each answer and it is in all cases necessary to write the total marks on the outside of the answer book in the right hand corner and to enter the same marks in the official mark-sheet ;
- (e) marks given to the candidates shall not be made known to any person other than the examiners in the subject ;
- (f) examiners shall not make any alterations (save in case of clerical errors) in their lists of marks during the correction ;
- (g) examiner shall observe the strictest punctuality and shall minutely follow these instructions.

(15) Reports : -

Examination Committee shall prepare a short joint report of the character of work done by the examiners in their respective subjects. Such reports shall in particular specify the defects in technique of candidates at the practical examinations. The reports shall also include , -

- (a) statement of the general standard attended ;
- (b) the main points which are expected ;
- (c) the reason why the marks are lost by the candidates ;
- (d) the examiner shall report the Council the time at which they commence the oral examination and the time at which it was over and the number of candidates examined during this period for each shift of the examination ;
- (e) the examiners shall report to the Council about the sufficiency or otherwise, of the equipment provided at the time of oral and practical examination at each centre.

**AFFILIATION TO
THE
INSTITUTIONS**

- 5. (1) every Institution intending to get affiliation of the Council shall apply to the Registrar of the Council ;
- (2) every institution applying for affiliation shall have to satisfy the minimum requirement prescribed in the syllabi and regulations for different courses framed by the Indian Nursing Council ;
- (3) on receipt of an application for affiliation in Form IV, the Council may direct an Inspector or Inspectors appointed for this purpose to make enquiry and report thereon. The person-in-charge of the Institution shall give every facility to such Inspectors while conducting inspection ;

- (4) when the Council has granted an application for affiliation, the Institute shall pay to the Council a prescribed fee of Rs. 5000/- (Rupees Five Thousand only) for the General Nursing Midwives/ Post Basic Bachelor of Science (Nursing)/ Bachelor of Science (Nursing)/ Master of Science (Nursing) and Rs. 3000/- (Rupees Three Thousand only) for Auxiliary Nursing Midwives courses per annum, on receipt of which the Institute shall be entered in the list of affiliated Institutes;
- (5) Any institution established for the Nursing may be affiliated to the Council subject to the following conditions : -
 - (a) the institution shall not employ on its Nursing establishment any person who is not registered under the Sikkim Nurses, Midwives and Health Visitors Act, 2008;
 - (b) the Council from time to time depute any of its members/ officers to inspect the Nurses Establishment to see whether it is carried on in accordance with the rules ;
 - (c) the Institution should provide the following records if demanded by the Inspection team of the Council, -
 - (i) the salary and emoluments payable to Nurses and conditions of each Nurse Midwives ;
 - (ii) the terms of the standard agreement between Nursing Establishment and Nursing Management ;
 - (iii) particulars of any complaints made against the Nurses and of the actions taken thereon.
 - (d) it shall pay to the Council a fee prescribed by the Council per annum within 31st (Thirty First) December of every year and obtain a certificate of affiliation as specified in the Form III issued by the Council.

**APPROVAL
AND
RECOGNITION
FOR TRAINING
INSTITUTION**

6. (1) (a) every Training Institution seeking the approval and recognition of the Council shall make an application in Form V. It shall be accompanied by Demand Draft of prescribed fee of Rs. 10000/- (Rupees Ten Thousand only) for School program and Rs. 20000/- (Rupees Twenty Thousand only) for Collegiate program drawn in favour of Sikkim Nursing Council. Cost of application form shall be determined by the Council from time to time ;
- (b) training Institutions shall be recognised by the Nursing Council as complete training schools for General Nursing, General Nursing and Midwifery, Female Health Workers and Collegiate Nursing Program [Bachelor of Science (Nursing)/ Post Certificate Bachelor of Science (Nursing)/ Master of Science (Nursing)/ Master of Philosophy/ Doctorate in Philosophy] and other courses;

Explanation : 'A complete training school' means an institution which in the opinion of the Council is capable of providing complete training to enable the trainees to qualify for getting admission to the Register.

- (c) the recognition shall be temporary and has to be renewed annually on payment of prescribed fee of Rs. 3000/- (Rupees Three Thousand only) for Auxiliary Nursing Midwives program and Rs. 5000/- (Rupees Five Thousand only) for General Nursing Midwives/ Bachelor of Science (Nursing)/ Master of Science (Nursing) program ;
 - (d) before approving and recognizing any training institution, the Council shall inspect with the member or members of the Inspection Committee who will prepare a report in detail as to whether the institution fulfils or does not fulfil all the conditions for approval and recognition laid down by the Council. No Training Institution shall be approved and recognised by the Council unless it fulfils all the conditions specified ;
 - (e) every training institutions affiliated to the Council shall furnish such reports, returns and other information, as the Council may direct, to the Registrar not later than the first week of December every year ;
 - (f) the Registrar shall maintain an up-to-date list of training institutions which have been given temporary recognition.
- (2) (a) no institution in the State of Sikkim shall hold any examination for the purpose of issuing a Degree/ Diploma certificate purporting to show that person holding such certificate is qualified to practice as Nurse, Midwife, Health Visitor, as the case may be, unless such institution is approved and recognised by the Indian Nursing Council and the Sikkim Nursing Council for that purpose ;
- (b) if it appear to the Council on the report of the Committee appointed by it or otherwise that the course/ training/ study and examination to be gone through in order to pass a qualifying examination, are not in conformity with the rules prescribed for a qualifying examination and does not satisfy the requirement of the Council, the Council may send to the institution concerned a statement to that effect and the period within which the institution may submit its explanation to the Council ;
 - (c) on receipt of the explanation or where no explanation is submitted within the period specified by the Council, that on expiry of the said period, the Council, if it is not satisfied with the explanation when explanation has been submitted, may, by order, direct that any certificate of diploma granted after a date specified in this behalf by the institution on passing qualifying examination shall not be recognized by the Council for the purpose of registration under the Act. In

case of the institution recognised for training candidates for the qualifying examination, the Council may, by order, direct that with effect from the date specified in the order, the training given in such institution shall cease to approve and recognise and the certificate or diploma obtained by any person on passing a qualifying examination after undergoing such training, shall not be recognised for the purpose of registration under the Act ;

- (d) the Registrar shall maintain an up-to-date record of the institution approved and recognised by the Council for holding qualifying examination. Institution approved and recognised for sending up candidates to such examination shall be admitted in the part or parts of the Register and other specific orders, if any, passed by the Council in relation thereto.

**CONDITION
REQUIRED FOR
STARTING OF
NEW NURSING
SCHOOLS/
COLLEGES**

- 7. (1) (a) the institution may apply to the Council in Form V annexed to these By-laws with a fee specified by the Council for starting of new School of Nursing/ Colleges and furnishes all the particulars and documents specified therein ;
 - (b) the minimum requirements and other conditions for recognition shall be as stipulated by the Indian Nursing Council from time to time ;
 - (c) provide recognition and permission to start School of Nursing/ Colleges to the educational societies and other management who are running their own hospitals.
- (2) Intake Capacity : Admission of number of students to a particular course shall be with reference to the availability of facilities to students. On the Inspection Committee's recommendation, enhancement of intake capacity and the grounds justifying the increase of intake capacity advanced by the training authority shall be considered. Such enhancement shall be made as per the guidelines of Indian Nursing Council. Admissions in all the training institutions shall be made once a year.
- (3) Agree to observe all the conditions prescribed in curriculum which may be prescribed by the Council from time to time as to the admission and training of students.
- (4) Agree to allow inspection to be carried out by the member of the Inspection Committee appointed by the Council. Provided furnished hostel facilities, mess arrangement to students as stipulated by Indian Nursing Council. Provided that an institution approved and recognised for training students for the advanced courses only, provision of boarding and lodging for the students shall not be made obligatory.
- (5) Arrange for lectures for students by well qualified registered medical practitioners and nursing tutors with sufficient practising experiences to teach the various subjects.

- (6) Provide adequate supplies of linen, equipment and other requisites in the wards and classrooms to give adequate training to the students about the nursing care to the patient.
- (7) The Sikkim Nursing Council shall follow the Guidelines and minimum requirements stipulated by Indian Nursing Council from time to time for recognition of a Training Institution of different Nursing Program [Auxiliary Nursing Midwives/ General Nursing Midwives/ Bachelor of Science (Nursing)/ Post Basic Bachelor of Science (Nursing)/ Master of Science (Nursing)].

**APPOINTMENT,
QUALIFICATION
AND PAY OF THE
REGISTRAR AND
OTHER
EMPLOYEES OF
THE COUNCIL**

8. (1) the Council shall, with the previous approval of the State Government, appoint a full time nurse as a Registrar and another full time nurse as a Deputy Registrar and such other staff as may be necessary ;
- (2) for the post of Registrar/ Deputy Registrar, the candidate should be a registered nurse with professional qualification preferably Master of Science (Nursing) with minimum of ten years teaching experience or nursing administrative service ;
- (3) for the post of Accountant, the candidate should have minimum qualification as graduate from recognized university and should have a good knowledge of computer application and accountancy;
- (4) for the post of Lower Division Clerk cum Typist, the candidate should have senior secondary passed certificate from recognized board and have a basic knowledge of computer application with typing of minimum speed of forty words per minute ;
- (5) for Office Helper, the candidate should have minimum of Class VIII passed certificate ;
- (6) the appointment shall be through direct recruitment by Selection Committee consisting of a President, two members of the Council, two other members nominated by the President. The President shall be the Chairman of the Selection Committee ;
- (7) the pay and allowances payable to the Registrar, officers and other employees of the Council shall be fixed by the Executive Committee of the Council ;
- (8) the leave, travelling and other allowances which are applicable to the State Government employees of the same pay scale shall be applicable in case of Registrar and other staff.

**NOTICES UNDER
SECTION 23**

9. (1) after coming into force of these By-laws, every registered nurses shall before continuing or commencing his/ her practice as a Nurse, Midwife or a Health Visitor, gives a notice in writing by registered letter to the Registrar and licensing authority in Form VIII and shall give a like notice to the said authority every three years thereafter ;
- (2) on receiving the Notice from the registered nurses, his/ her registration shall be renewed for three years as per rule 10 of Sikkim Nurses, Midwives and Health Visitors Rules, 2017.

**INSPECTION
COMMITTEE**

10. (1) the Council shall form an Inspection Committee consisting of inspectors not less than three and not more than five members including a Chairman for the term of two years. The member shall not be appointed for more than two successive terms ;
- (2) the Committee shall meet before the inspection to scrutinise Performa to finalise the inspection. Such meetings shall be presided over by the Chairman of the Inspection Committee ;
- (3) suggestions which inspectors may desire to make in regard to any matter pertaining to the inspections shall be submitted to the Council through the meeting of the Inspection Committee ;
- (4) the inspectors should submit the report within fifteen days of inspection of the institutions to the Registrar ;
- (5) with the scrutiny of inspection report by the office bearer of the Sikkim Nursing Council, the Registrar shall issue the certificate of affiliation to respective institutions ;
- (6) The Inspection Committee shall conduct the following inspections:-
 - (a) **FIRST INSPECTION** : -on receipt of permission from Indian Nursing Council and No Objection Certificate/ Essentiality Certificate from the Health and Family Welfare Department, Government of Sikkim, the Sikkim Nursing Council will inspect the School of Nursing/ College of Nursing.
 - (i) **Requisite for first inspection of School of Nursing** : -
 - (A) permission from Indian Nursing Council ;
 - (B) NOC/ Essentiality Certificate from Health and Family Welfare Department, Government of Sikkim ;
 - (C) a bank draft towards first inspection fee in favour of the Registrar, Sikkim Nursing Council, for School of Nursing (Auxiliary Nurse Midwives, General Nurse Midwives) ;
 - (D) consent form of the Sikkim Nursing Council obtained during sending the proposal to Indian Nursing Council ;
 - (E) proposal for starting School of Nursing, which includes budget, physical infrastructure and facilities for teaching and clinical experience of the students.
 - (ii) **Requisite for first inspection of College of Nursing** : -
 - (A) NOC/ Essentiality Certificate from Health and Family Welfare Department, Government of Sikkim ;
 - (B) permission from Indian Nursing Council ;
 - (C) consent letter from the University ;

- (D) duly attested Registration Certificate of Society or Trust Deed in case of private institution ;
- (E) a bank draft towards first inspection fee in favour of the Registrar, Sikkim Nursing Council, for College of Nursing [Post Basic Bachelor of Science (Nursing), Bachelor of Science (Nursing), Master of Science (Nursing)];
- (F) proposal for starting College of Nursing, which includes budget, physical infrastructure and facilities for teaching and clinical experience of the students.

(b) RE INSPECTION : -

Re-inspection is conducted for those institutions, which are found unsuitable by Sikkim Nursing Council. The institutions are advised to rectify the deficiencies. After rectification of the deficiencies, the institution must submit the compliance report with documentary proof regarding rectification of the deficiencies as pointed out in the Inspection Report. On receipt of the Compliance Report from the institution, the Council will proceed for re-inspection, if found otherwise suitable.

(c) PERIODIC INSPECTION : -

The Sikkim Nursing Council conducts periodical inspection of the institution (once the institution is found suitable by Sikkim Nursing Council) to monitor the standard of nursing education and adherence of the norms prescribed by Indian Nursing Council. The institutions are required to pay annual affiliation fees every year for Auxiliary Nurses Midwives/ General Nurse Midwives/ Post Basic Diploma program and for Bachelor of Science (Nursing)/ Master of Science (Nursing)/ Post Basic Bachelor of Science (Nursing) program. Validity/ permission every year should be obtained by the individual institutions before starting the session. However, if the institution does not comply with the norms prescribed by Indian Nursing Council for teaching, clinical and physical facilities, the institution will be declared unsuitable.

(d) ENHANCEMENT OF SEATS : -

The Indian Nursing Council will conduct inspection after one year from the last inspection conducted subject to the condition that students are admitted,-

- (i) proposal of enhancement of seats will be considered only from those institutions that are found suitable by the Indian Nursing Council ;
- (ii) the Sikkim Nursing Council will conduct inspection as per guidelines of the Indian Nursing Council and release necessary approval on payment of prescribed fees.

(e) **SURPRISE INSPECTION : -**

Surprise Inspection will be made as per decision of Education and Examination Committee of Sikkim Nursing Council in following situations,-

- (i) based on complain received ;
- (ii) poor performance in examination results of the Council by the students of any recognized Institutions.

- MISCELLANEOUS 11.**
- (1) **Necessary Entries after marriage : -** if any nursing personnel is married subsequent to his/ her registration, he/ she shall intimate the Sikkim Nursing Council the name of spouse for making necessary entries in the relevant column of the Register with the registration number and date of registration.
 - (2) **Transfer of Student Nurse : -** a student nurse undergoing training in the nursing courses (GNM, BScN) may be permitted to be transferred to one nursing institute to another with the approval of the authorities of both institutions and concurrence of training schools concerned. A concession (leave) in the period of training only shall be given for every completed year of training. If the student has left nursing training after passing first stage/ year of examination, the student may be allowed to continue the training if the interruption is only for a period of two years.
 - (3) **Inspection and maintenance of record etc. : -** the concerned record Register, Circular, Notification and Inspection Report of the Council has to be maintained properly in each institution and be made available to the inspection staff of the Council at the time of inspection.
 - (4) **Stationeries : -** stationeries for the Council shall be purchased in any government recognized or approved shops.
 - (5) **Alteration of the By-laws : -** the Council may by resolution passed by two-third majority of members in a meeting of which notice specifying the proposals for alteration or addition in the By-laws shall be made after it has been approved by the State Government and published in the Official Gazette.

**President,
Sikkim Nursing Council,
Gangtok, Sikkim**

Form I
[See By-laws 4 (6) (g)]

DIPLOMA IN GENERAL NURSING MIDWIFERY

This is to certify that son of/
daughter of..... having undergone the
prescribed course for three years in Nursing and Midwifery in a duly recognized institution and
having passed the prescribed examinations held in is granted this
Diploma in General Nursing Midwifery and is qualified to practise as a Nurse and Midwife.

He/ she passed his/ her examinations with.....

His/ her date of birth is.....

Dated :

Signed on behalf of Sikkim Nursing Council

Registrar,
Sikkim Nursing Council .

President,
Sikkim Nursing Council.

Form II
[See By-laws 4 (6) (g)]

DIPLOMA CERTIFICATE IN AUXILIARY NURSING & MIDWIFERY

This is to certify that son of/ daughter
of having undergone the prescribed course for
eighteen months with six months internship in a duly recognized Institution and passed the
prescribed examination held during the month of is granted this
Diploma in Auxiliary Nurse and Midwife and is qualified to practise under medical and nursing
supervision as an Auxiliary Nurse and Midwife and to practise as Female Health Worker.

He/ she passed his/ her examinations with.....

His/ her date of birth is.....

Dated:

Signed on behalf of Sikkim Nursing Council

Registrar
Sikkim Nursing Council.

President,
Sikkim Nursing Council.

Form III
SIKKIM NURSING COUNCIL

Certificate of Affiliation
[See By-laws 5 (5) (d)]

The Sikkim Nursing Council, hereby affiliate your Institution, viz.,
..... to the Council under the By-laws 5 framed under
section 32 of Sikkim Nurses, Midwives and Health Visitors Act, 2008, subject to the following
conditions : -

- a. The institution shall not employ on its Nursing establishment any person who is not registered under the Sikkim Nurses, Midwives and Health Visitors Act.
- b. The Council from time to time depute any of its members/ officers to inspect the Nurses Establishment to see whether it is carried on in accordance with the rules.
- c. The Institution should provide the following records if demanded by the inspection team of the Council : -
 - i. The salary and emoluments payable to Nurses and conditions of each Nurse Midwives.
 - ii. The terms of the standard agreement between Nursing Establishment and Nursing Management.
 - iii. Particulars of any complaints made against the Nurses and of the actions taken thereon.
- d. The institution shall pay the prescribed affiliation fee by Demand Draft within 31st December of every year and obtain receipt.

Signature and seal of Director/ Secretary/ Management of the Institutions : -

Registrar,
Sikkim Nursing Council.

Form IV
Requisition for Affiliation
[See By-laws 5 (3)]

To,
The Registrar,
Sikkim Nursing Council

Sir/ Madam,

On behalf of which is an institution affiliated in your Council, I would like to apply to the Council for approval of the hospital of which particulars are given herewith as a training institution for and on behalf of the management of the said hospital, I have undertaken, if such approval is granted to observe and be bound by all rules, By-laws, regulations and other recruitments of the Council affecting such training institutions.

Signature and Designation.

Particulars to be submitted by Training Institute of Nurses : -

- (1) Name of the Institution : -
- (2) Location and Postal Address : -
- (3) Year of foundation : -
- (4) Nature of affiliation sought for : -
 - a. As complete Training school
 - b. The name of Institution with which arrangement is made for sending probationers

*scheduled daily average number of occupied beds in the year.

- (5) Total number of beds : -
 - a. In general wards :
 - b. Private wards for paying patients :
 - c. Number of beds separately allocated for each of the following : -
 - i. Men :
 - ii. Women :
 - iii. Children :
 - d. Number of beds separately allocated for each of the following purposes : -
 - i. Medical :
 - ii. Surgical :

- iii. Gynaecological :
- iv. Children :
 - Medical :
 - Surgical :
- v. Ophthalmic :
- vi. Ear, Nose and Throat :
- vii. Skin and General Diseases :
- viii. Midwifery :
- ix. Psychiatry :
- x. Others :

(6) Whether any of the following special department exist (daily average number of patients):-

- a. Out-patient Department :
- b. Casualty Department :
- c. DOTS centre :
- d. Venereal Department :
- e. Radiology Department :
 - Diagnosis :
 - Treatment :
- f. Other department (if any, state the name) : -

(7) (a) Number of operation during the year	Surgical	Obstetrics and Gynaecology	Children
(i) Major :			
(ii) Minor :			
(b) Manpower	Qualification	Years of experience	Registration number
Administrative Nursing Officer			
(i) Nursing Superintendent :			
(ii) Deputy Nursing Superintendent :			
(iii) Assistant Nursing Superintendent :			
Clinical Nursing Staff			
(i) Ward Incharge :			
(ii) Staff Nurse (Nursing Officer) :			
(iii) MPHW (F)/ ANM :			
(iv) Unregistered Nurse (if any) :			

Form V
[See By-laws 6 (1) (a) & By-laws 7 (1) (a)]

Application form for starting of Nursing and Midwifery School/ College

1. Name of the Institution and details of management with Registration number :
.....
.....
.....
2. Location and Postal Address and year of foundation :
.....
.....
.....
3. Institution is having separate Nursing School Building : Yes [] No []
4. Budget provision made :
5. Number of class room existing with furniture :
6. Laboratory provision for :
 - a. Nursing Practice : Yes [] No []
 - b. Nutrition Laboratory : Yes [] No []
 - c. Community Nursing and Obstetric Laboratory : Yes [] No []
7. Is there Auditorium existing : Yes [] No []
8. Provision made for Library : Yes [] No []
9. Examination Hall/ Multipurpose Hall : Yes [] No []
10. Office room and common rooms existing : Yes [] No []
11. Details of store room, room for audiovisual aids/ and other facilities :
.....
.....
.....
.....
12. Provision made for field practice area :
13. Hospital, bed strength, types of clinical experience available and distribution of beds :
.....
.....
.....
.....

14. Nursing and Doctors staffing pattern :
15. Nursing staff for wards and special units and outpatient department :
.....
16. Details of hostel facilities :
- a. Bed rooms, toilets and bath rooms :
- b. Recreation and visitors rooms :
- c. Kitchen and dining hall, pantry :
17. Transportation facilities and canteen :
.....

On behalf of (management), I would like to apply to the Council for permission/ sanction of School of Nursing/ College and on behalf of the management of the said hospital, I have undertaken, if such approval is granted, to observe and be bound by all rules, By-laws, regulations and other requirements of the Council affecting such training institutions and other instructions supplied by the Council.

Signature and Designation

Form VI

Form or records of General Nursing cases to be maintained by Registered Nurse, Auxiliary Nurse and Midwife or enlisted person if not in the employ of a Government Municipal or other Public Hospital.

1. Name and Address of the patient, hospital etc. :
2. Period of engagement : From to
3. Nature of illness :
4. Name and Address of Medical Officer treating the patient :
5. Remarks :

Signature with Registration Number :

Form VII

Form of records of labour cases to be maintained by Registered Midwife, Auxiliary Nurse Midwife and enlisted Midwife if not in the employ of a Government, Municipal or other Public Hospital.

1. Name and Address of the Patient :
2. Age :
3. Number of previous labour :
4. Number of previous miscarriages :
5. Date of expected confinement :
6. Presentation :, Date and time of child birth :
7. Sex of child :, living/ dead :, Term/ premature :
8. Name and address of Doctor called :
9. Complication during and after labour :
10. Date of visit :
11. Condition of mother and child in last visit :
12. Remarks :

Signature with Registration number :

* Insert name if drug administered or applied dosage and the time and cause of administration or application, excepting a simple patient.

Form VIII

[See By-laws 9 (1)]

NOTICE OF INTENTION TO PRACTICE

To,

The Registrar,
Sikkim Nursing Council.

Sir/ Madam,

I, (full name)
son of/ daughter of resident of
..... and at present residing at
..... holding a Registration number
..... dated : hereby inform you that I am
practising/ intend to practice as at

Signature :

Date :

*Insert Registration Certificate number

*State whether a Nurse, Midwife or/ and Health Visitor

*Insert the name of the place

CERTIFICATION OF REGISTRATION

Passport size photograph

This is to certify that son of/
 daughter of resident of
 has taken a Program of Study for
 at
 from to and has passed a
 prescribed examination of conducted by
 in and was given the
 Registration number is further admitted through Reciprocal
 Registration in the Nurses and Midwives Register maintained under the provision of Sikkim
 Nurses, Midwives and Health Visitors Act, 2008 (SNC Rules 17, 18 of Part III) and that he/
 she is entitled to take and use the title of "REGISTERED NURSE and REGISTERED
 MIDWIFE".

The number assigned to him/ her in the Register as a Nurse is :

The number assigned to him/ her in the Register as a Midwife is :

Dated : /...../

Registrar,
Sikkim Nursing Council.

N. B. Registration should be renewed after every FIVE YEARS
 (Do not laminate the certificate)

Form X

CERTIFICATION OF REGISTRATION

Passport
size
photograph

This is to certify that son of/
daughter of resident of
..... has taken a Program of Study for Auxiliary Nurse Midwives at
..... from to
..... and has passed a prescribed examination of Auxiliary Nurse
Midwives conducted by in
..... and was given the Registration number, and is
further admitted through Reciprocal Registration in the ANM Register maintained under the
provision of Sikkim Nurses, Midwives and Health Visitors Act, 2008 and that he/ she is entitled
to take and use the title of "REGISTERED AUXILIARY NURSE MIDWIVES".

The number assigned to him/ her in the Register is :

Dated : / /

Registrar,
Sikkim Nursing Council.

N.B. Registration should be renewed after every FIVE YEARS
(Do not laminate the certificate)